

**ANNUAL REPORT ON THE
INVESTIGATION OF CHILD ABUSE
2016 - 2017
PIMA COUNTY, ARIZONA**



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Annual Report on the Investigation of Child Abuse 2016-2017 Pima County, Arizona

According to Statute § 8-817, the Pima County Attorney's Office is responsible for providing an annual report on the investigation of child abuse in the county to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In Pima County the Multi-Disciplinary Team (MDT) for Child Abuse Investigation was created to ensure compliance with the protocol by that name. The protocol was developed in 1992-1994 under the leadership of the Pima County Attorney's Office in response to a perceived community need. In 2003 the Arizona State Legislature passed A.R.S. § 8-817 requiring the development of, and adherence to, a multidisciplinary protocol for the investigation of child abuse.

The Pima County Protocols for the Multi-Disciplinary Investigation of Child Abuse include the monitoring of all investigations of **"allegations involving criminal conduct"** defined by A.R.S. § 8-801 to insure that joint investigations are conducted. Statute (§ 8-801) includes the following statutes in its description of child abuse: inflicting or allowing sexual abuse pursuant to section § 13-1404, sexual conduct with a minor pursuant to § 13-1405, sexual assault pursuant to § 13-1406, molestation of a child pursuant to § 13-1410, continuous sexual abuse of a child pursuant to § 13-1417, child prostitution pursuant to § 13-3212, commercial sexual exploitation of a minor pursuant to § 13-3552, sexual exploitation of a minor pursuant to § 13-3553, certain domestic violence offenses that rise to the level of a felony pursuant to § 13-3601, and physical injury pursuant to § 13-3623.

This report is the compilation of information collected from the municipal, county, and state agencies on the number of cases handled and the frequency of joint investigations conducted in Pima County. The report also notes problems identified with the reporting and collection of data.

Pima County Attorney's Office

Number of Defendants: 882

Number of Charges: 1020

13-1404: 64 defendants	65 charges
13-1405: 115 defendants	118 charges
13-1406: 86 defendants	88 charges
13-1410: 104 defendants	104 charges
13-1417: 14 defendants	14 charges
13-3552: 0 defendants	0 charges
13-3553: 24 defendants	24 charges
13-3601: 95 defendants	102 charges
13-3623: 398 defendants	411 charges

Number of cases presented by Agency:

Counter Narcotics Alliance:	6
Department of Public Safety:	15
Department of Corrections	1
Dept of Homeland Security:	1
Marana Police Dept:	25
Oro Valley Police Dept:	14
Pascua Law Enforcement:	1
Pima College Police Dept.:	1
Pima County Sheriff's Dept:	277
Sahuarita Police Department:	16
South Tucson Police Dept:	5
Tohono O'odham Police Dept:	2
Tucson Police Department:	517
University of Arizona PD:	3

Case Dispositions (these include actions that occurred both at issuing and after indictment).

Number of Defendants: 868 Number of Charges: 971

Unique Defendant Count by Disposition:

Dismissed With Prejudice:	2
Dismissed Without Prejudice:	123
Guilty-Plea:	333
Guilty-Trial:	21
Not Guilty:	6
Reviewed and Refused:	356
All Defendants:	828
All Charges:	927

Southern Arizona Children's Advocacy Center

Number interviews: 1163

Number children served: 1318

Number of Medical Examinations: 244

Number of jointly investigated cases: on average, 96% of the cases are appropriate for joint investigation. The number reported just reflects cases that come through the Advocacy Center. DCS and law enforcement also do investigations without using the Advocacy Center. Not all investigations are eligible for joint investigation. Many are out-of-home cases, so DCS is not involved.

Marana Police Department

During the fiscal year July 1 2016 through June 30,201 Marana Police investigated 16 cases involving serious child crimes allegations.

- 7 cases of molestation

- 4 cases of sex with minors

- 3 cases of sex abuse

- 7 cases of physical abuse

Of the 16 cases investigated 9 were investigated jointly with DCS.

9 of the cases were prosecuted

- 2 cases were molestation, 13-1410

- 2 case was sex with a minor, 13-1405

- 3 cases were for child abuse, 13-3623

- 2 cases were for sex abuse, 13-1404

Oro Valley Police Department

47 cases involving serious child abuse conduct allegations

- 18 cases jointly investigated with DCS (formerly CPS)

- 4 cases referred for prosecution:

- 20 cases jointly investigated with Children's Advocacy Center

- 15 cases jointly investigated with other agencies

The cases referred for prosecution were charged under the follow statutes:

- 1 case under § 13-1204A6 Agg Assault on Minor under 14 YOA

- 1 case under § 13-1405 Sexual Misconduct with a minor

- 2 case under § 13-1304 Kidnapping

- 2 case under § 13-3623A1 Child Abuse

South Tucson Police Department

28 cases involving Child Crime allegations:

- Molest - 3
- Neglect - 2
- Custodial Interference - 8
- Child Abuse - 15

Most cases are investigated jointly with DCS (formerly CPS). There is no indication in the STPD system to identify the number referred for prosecution.

Tucson Police Department

Child Sexual Assault and Dependent Child Units

	<u>Reviewed/Received</u>	<u>Assigned</u>
Child Molestation:	295	151
Sex Offenses:	161	29
Sexual Assault	82	32
Physical Abuse	441	62
Neglect	158	34

There are more types of cases received and assigned to each unit that are not depicted in this report. All cases assigned through the Child Physical Abuse Unit and jointly investigated with DCS, however, TPD does not document the numbers of Child Sexual Assault Unit cases that are jointly investigated. However, any Child Sexual Assault case that involves a child where the suspect is a guardian or caregiver would be a joint investigation with DCS. Please note the drop from previous years in assigned Physical Abuse cases which is most likely attributed to a new program that allows patrol officers to cite for a felony in the field without the assignment of a detective.

Pima County Sheriff's Office – Crimes Against Children Unit

Child Molestation:	115
Sex Offenses (other):	387
Physical Abuse:	255
Neglect:	16
Sex Assault/Rape (child):	0
Sex Offender Registration:	234
Missing/Endangered:	22

Unless a case does not meet the criteria for DCS (formerly CPS) involvement, 90% of PCSO sex abuse/sex offense cases are jointly

investigated. On physical abuse cases the PCSO works joint investigations only 45% of the time and DCS conducts their own follow-up.

Sahuarita Police Department

The cases where Department Child Services (DCS) was contacted are listed below based on the FBI UCR classifications:

- (UCR 0423) – Aggravated Assault Domestic Violence W/Knife – 1
- (UCR 0911) – Assault Minor Injury Domestic Battery – 2
- (UCR 1702) – Child Molesting – 4
- (UCR 1706) – Sex Offenses Other – 3
- (UCR 2001) – Offense Against Family / Physical Abuse – 3
- (UCR 2002) – Offense Against Family / Neglect – 3
- (UCR 2016) – Offense Against Family Other – 1
- (UCR 2104) – DUI Non Accident – 1
- (UCR 2411) – Disorderly Conduct Domestic Violence – 3
- (UCR 2802) – Juvenile Violation Health, Welfare/Morals – 2
- (UCR 2901 & 2902) - Runaway Juvenile – 3
- (UCR 4101) – Mental Case Transport – 1
- (UCR4201) – Sick Cared For Transported – 1
- (UCR 5201) – Found Person – 2
- (UCR 5303 – Check Welfare – 1
- (UCR 5401) – Civil Preserve the Peace – 1
- (UCR 5603) – Suspicious Activity – 2
- (UCR 6001) – Assist Other Municipal Agency – 1
- (UCR 6002) – Assist Other County Agency - 2
- (UCR 6003) – Assist Other State Agency – 6
- (UCR 6005) – Assist Other Agency – 2

Problems Identified With Reporting Child Abuse and Joint Investigations

There is a problem with each agency defining criminal conduct against children differently and then collecting and reporting on different types of data. The Pima County Attorney's Office uses the definition of criminal conduct given in A.R.S. § 8-801:

2. *"Extremely serious conduct allegation" means an allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:*

(a) *A violation of section 13-3623 involving child abuse.*

(b) A felony offense that constitutes domestic violence as defined in section 13-3601.

(c) A violation of section 13-1404 or 13-1406 involving a minor.

(d) A violation of section 13-1405, 13-1410 or 13-1417.

(e) Any other act of abuse that is classified as a felony.

Because of item (e) above the Pima County Attorney's Office report includes:

§13-3552 - commercial sexual exploitation of a minor,

§13-3553 - sexual exploitation of a minor,

§13-3212 - child prostitution.

The Pima County Attorney's Office data collection system allows reporting by statute charged. Some Law Enforcement agencies are able to report by the Arizona statute, while others use the Uniform Crime Reporting (UCR) system of the FBI. Adding to the problem is that when searching by statute, A.R.S. § 13-3623 and § 13-3601 include not only acts against children but against adults, thus additional vigilance of the data is needed.

Cases that occur out of the home or do not involve a family member are not within the scope of authority for DCS (formerly CPS) so they are not jointly investigated.